

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL CASE NO. 1:09cr101

UNITED STATES OF AMERICA,)
)
)
)
vs.) **O R D E R**
)
)
CHARLES PHILLIP SMITH.)
)

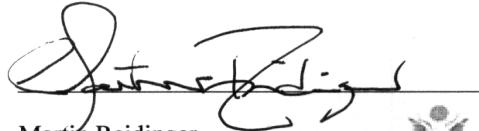
THIS MATTER is before the Court on the Defendant's Motion to Continue Docket Call [Doc. 34] and the Government's Motion to Dismiss Without Prejudice. [Doc. 35].

For the reasons stated in the Government's Motion, and for good cause shown, **IT IS, THEREFORE, ORDERED** that the Government's Motion to Dismiss [Doc. 35] is **GRANTED**, and the Superseding Bill of Indictment [Doc. 14] is hereby **DISMISSED WITHOUT PREJUDICE**.

As this case has been dismissed, **IT IS FURTHER ORDERED** that the Defendant's Motion to Continue Docket Call [Doc. 34] is hereby **DENIED AS MOOT**.

IT IS SO ORDERED.

Signed: August 26, 2010



Martin Reidinger
United States District Judge

